

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
MARSHALL DIVISION

FINESSE WIRELESS, LLC	§	
	§	
Plaintiff,	§	
v.	§	CASE NO. 2:21-CV-00316-JRG
	§	(LEAD CASE)
AT&T MOBILITY, LLC,	§	
	§	CASE NO. 2:21-CV-00317-JRG
	§	(MEMBER CASE)
Defendant.	§	
	§	
FINESSE WIRELESS, LLC,	§	
	§	
Plaintiff,	§	
v.	§	
CELLCO PARTNERSHIP d/b/a	§	<b><u>JURY TRIAL DEMANDED</u></b>
VERIZON WIRELESS,	§	
	§	
Defendant.	§	
	§	
NOKIA OF AMERICA CORPORATION,	§	
ERICSSON INC.,	§	
	§	
Intervenors.	§	
	§	

**COVENANT NOT TO SUE AND JOINT MOTION TO DISMISS**

Plaintiff Finesse Wireless LLC (“Finesse”) and Defendant Cellco Partnership d/b/a Verizon Wireless (“Verizon”) hereby enter into the below stipulation in case no. 2:21-CV-00317 filed in the U.S. District Court for the Eastern District of Texas.

Finesse, on behalf of itself and any successor in interest of U.S. Patent Nos. 7,346,134 and 9,548,775 (the “Asserted Patents”) and current or future affiliates, covenants not to sue Verizon or any of its successors in interest for infringement (direct or indirect) of the Asserted Patents based on the AHBCA, AHBCB, AHBCC, AHFIA, AHFIB, AHFIC, AHLBA, or AHLBBA Nokia radios (collectively, the “Galaxy Radio Products”), whether made, used, sold, offered for sale, imported,

or exported any time at or prior to the date of this covenant. Should Finesse or any successor in interest in either of the Asserted Patents sue Verizon or any of its successors in interest for infringement (direct or indirect) of either of the Asserted Patents based on the Galaxy Radio Products, then the covenant not to sue shall automatically and retroactively be regarded as a fully paid-up license to the Asserted Patents to make, use, sell, offer for sale, import, or export the Galaxy Radio Products through the date of this covenant.

This stipulation is being made: (1) for the purpose of conserving resources and avoiding costs associated with litigation; (2) in light of the low sales to Verizon of the Galaxy Radio Products; and (3) the Court's Order denying Finesse's motion for leave to supplement its infringement contentions to include a different Nokia radio product, the UHFA (AB). In making this stipulation, Verizon does not admit that the Galaxy Radio Products infringe the Asserted Patents or that the Asserted Patents are valid or in any way enforceable, and Finesse does not admit that the Galaxy Radio Products do not infringe the Asserted Patents or that the Asserted Patents are invalid or in any way unenforceable.

In light of the above covenant not to sue, Finesse and Verizon hereby jointly move to dismiss all of Finesse's claims regarding the Asserted Patents and the Galaxy Radio Products without prejudice.

DATED: December 7, 2022

Respectfully submitted,

By: /s/ Meng Xi

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WIRELESS**

**CERTIFICATE OF CONFERENCE**

The undersigned hereby certifies that counsel for Finesse Wireless, LLC and counsel for Cellco Partnership d/b/a Verizon Wireless have met and conferred and this motion is joint.

By: /s/ Meng Xi  
Meng Xi

**CERTIFICATE OF SERVICE**

I hereby certify that counsel of record are being served this December 7, 2022, with a copy of this document via CM/ECF or email.

By: /s/ Meng Xi  
Meng Xi